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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,344	10/17/2003	Tatsuo Itabashi	9792909-5712	2279

26263 7590 09/25/2006

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EXAMINER

COULTER, KENNETH R

ART UNIT PAPER NUMBER

2141

DATE MAILED: 09/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n No.

10/688,344

Applicant(s)

ITABASHI ET AL.

Examiner

Kenneth R. Coulter

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2006 (RCE filed).
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 17 – 46 are rejected under 35 U.S.C. 102(e) as being anticipated by Hartman et al. (U.S. Pat. No. 5,960,411) (Method and System for Placing a Purchase Order Via a Communications Network (One-Click Checkout)).

2.1 Regarding claim 17, Hartman discloses an information processing method in an information processing apparatus connected to a service provider device and a terminal device, comprising the steps of:

storing personal information of a user using the terminal device (Abstract; Fig. 2, item 214; Figs. 8A, 8B, 8C; col. 5, line 56 – col. 6, line 4; col. 9, lines 8 – 53);

receiving a request to perform a transaction with the service provider device from the terminal device (Abstract “request to purchase”; Figs. 1A, 4; col. 2, line 51 – col. 3, line 7);

identifying a manner in which the personal information will be used by the service provider device (Abstract; Figs. 1A, 4; col. 2, line 51 – col. 3, line 7);

identifying one or more items requested by the service provider device from the stored personal information (Abstract; Figs. 1A, 1C, 4; col. 2, line 51 – col. 3, line 7);
and

sending the manner or the one or more items requested by said service provider device to said terminal device to be displayed at the terminal device (Abstract; Figs. 1A, 1C, 4; col. 2, line 51 – col. 3, line 7).

2.2 Per claim 18, Hartman teaches that said manner requires that said personal information is to be used only by the service provider device (Abstract; Figs. 1A, 1C, 4; col. 2, line 51 – col. 3, line 7).

2.3 Regarding claim 19, Hartman discloses that said personal information is to be provided by the service provider to another service provider for use (Abstract; Figs. 1A, 1C, 4; col. 2, line 51 – col. 3, line 7).

2.4 Per claim 20, Hartman does not explicitly teach that said terminal device comprises a wireless device comprising one of a PDA, a mobile telephone, a personal handyphone, a pager, a laptop computer and a handheld information processing device. Since the use of a portable device to order via a communications network is a commonplace scenario, it would have been inherent to add this feature.

2.5 Regarding claim 21, Hartman discloses that said personal information comprises one or more of a user payment information, a user home address, a user email address, a user telephone number, a user date of birth, a user password, and a user ID (Figs. 8A, 8B, 8C; col. 9, lines 8 – 53).

2.6 Per claim 22, Hartman teaches that said step of sending further *sends* a button for determining whether providing said one or more items to said service provider device or not (Figs. 8A, 8B, 8C; col. 9, lines 8 – 53 “next button”).

2.7 Regarding claim 23, Hartman does not explicitly disclose that said button includes positive (yes) button of provision of personal information and negative (no) button of prohibition of personal information.

However, Hartman discloses an equivalent “next button” (Figs. 8A, 8B, 8C; col. 9, lines 8 – 53).

2.8 Per claim 24, Hartman teaches retrieving a reply from said user (Abstract; Figs. 1A, 1C, 4; col. 2, line 51 – col. 3, line 7).

2.9 Regarding claim 25, Hartman discloses processing said transaction on the basis of said reply from said user (Abstract; Figs. 1A, 1C, 4; col. 2, line 51 – col. 3, line 7).

Art Unit: 2141

2.10 Per claims 26 – 46, the rejection of claims 17 – 25 under 35 USC 102(e) (paragraphs 2.1 – 2.9 above) applies fully.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth R. Coulter whose telephone number is 571 272-3879. The examiner can normally be reached on 5 4 9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KENNETH R. COULTER
PRIMARY EXAMINER


krc